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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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FULLER BOX CO., INC.

: **REVISED PROPOSED**
DISCOVERY PLAN

Plaintiff, : Case No.: 07CV9375

-against- :
OOCL (USA) INC., and :
INTRASIT CONTAINER, INC. :
Defendants.

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1. Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, parties
conferred on February 28, 2008:

RUBIN, FIORELLA & FRIEDMAN LLP
By Patrick J. Corbett, Esq.
Attorneys for Plaintiff FULLER BOX CO., INC.

Barry N. Guterman and Associates, P.C.
By Barry N. Guterman, Esq.
Attorneys for Defendant INTRANSIT CONTAINER INC.

TISDALE LAW OFFICES, LLP
By Thomas L. Tisdale Esq., Lauren C. Davies, Esq.
Attorneys for Defendant OOCL (USA) INC.

2. Pre-Discovery Disclosures. The parties have exchanged or will immediately
exchange the information required by Rule 26 (a) (1) of the Federal Rules of Civil
Procedure.

3. Discovery Plan. The parties jointly propose to the court the following
discovery plan:

a. Discovery will be needed on the following subjects:

Whether there was a breach of the contract to carry and/or safely store plaintiffs cargo?

If there was a breach, what are the plaintiff's damages?

Was the damage, if any, caused by an Act of God?

Is Plaintiff's suit time barred?

b. All discovery will be commenced in time to be completed by July 10, 2008.

c. Each party may serve a maximum of 20 interrogatories on any other party. Responses are due within 60 days after service of the interrogatories.

d. Each party may serve a maximum of 20 requests for admission on any other party. Responses are due within 60 days after service of the requests.

e. Each party may take a maximum of four depositions. Each deposition is limited to a maximum of seven hours unless extended by agreement of the parties.

f. Reports from retained experts under Rule 26(a)(2) of the Federal Rules of Civil Procedure are due as follows:

from plaintiff, by May 20, 2008;

from defendant OOCL by June 20, 2008;

from defendant INTRANSIT by June 20, 2008;

h. Supplementation under Rule 26(e) of the Federal Rules of Civil Procedure is due July 7, 2008;

4. Other Items.

a. The parties request a conference with court before entry of the scheduling order.

b. The parties request a pretrial conference on or after July 30, 2008, or after decision of any dispositive motions, whichever is later.

c. Plaintiff does not expect to join additional parties or amend pleadings.

d. Defendants do not expect to join additional parties or amend pleadings.

e. All potentially dispositive motions should be filed by August 20, 2008.

f. Settlement may be enhanced by use of the following alternative dispute resolution procedure: private mediation service conducted after completion of discovery.

g. Final lists of witnesses and exhibits under Rule 26(a)(3) of the Federal Rules of Civil Procedures should be due from all parties on September 10, 2008 or within 30 days after decision of dispositive motions, whichever is later.

h. Parties should have 30 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3) of the Federal Rules of Civil Procedure.

i. The case should be ready for trial by September 15, 2008 and this time is expected to take approximately three days.

Dated: New York, New York
February 28, 2008

s/ 
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s/ Barry N. Guterman
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s/ 
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